

# Snell & Wilmer

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## Joshua R. Woodard

Partner | Phoenix

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### Main Bio

Josh Woodard is licensed in Arizona, California and Nevada, with a practice concentrated in labor and employment law. He advises and represents employer/management clients before state and federal agencies, including the Arizona Civil Rights Commission, the California Department of Labor Standards Enforcement (DLSE), the United States Equal Employment Opportunity Commission (EEOC) and the United States Department of Labor (DOL). Josh has formerly served as vice president and in-house counsel and brings a "real-world" perspective to clients.

Josh has extensive litigation experience in both state and federal jurisdictions in wage and hour issues, misappropriation of trade secrets, non-competition/non-solicitation matters, wrongful termination, sexual harassment, discrimination, employment contracts and related matters. Josh has defended employers against wage and hour class actions, DOL initiated audits and litigation, and EEOC initiated investigations and litigation. He also advises, instructs and trains employers in a variety of areas including compliance with the FFCRA, FLSA, FMLA, ADA, Arizona's Fair Wages and Healthy Families Act and other employment law issues.

### Education

- Southern Methodist University (J.D.)
  - Notes and Comments Editor, Southern Methodist University Law Review
- University of California, Los Angeles (B.A., History)

### Professional Memberships & Activities

- CFO Leadership Council
  - Advisory Board
    - Member (2019-Present)

### Representative Presentations & Publications

- "[U.S. Department of Labor Issues New Final Rule for Classifying Independent Contractors, Effective March 11, 2024](#)," Co-Author, Snell & Wilmer Legal Alert (January 12, 2024)
- "[Federal EEO Law Recent Developments](#)," Co-Author, AZ Attorney Magazine (January 2024)
- "[DOL Working Overtime To Increase Salary Exemption Threshold](#)," Co-Author, Snell & Wilmer Legal Alert (August 31, 2023)

- ["FTC Proposes Ground-Breaking Rule Banning Non-Compete Clauses in Employment Contracts Nationwide,"](#) Co-Author, Snell & Wilmer Legal Alert (January 6, 2023)
- ["Federal Equal Employment Opportunity Law: Recent Developments,"](#) Co-Author, Arizona Attorney Magazine (January 2023)
- "Employment Issues in a Declining Economy," Presenter, Snell & Wilmer Virtual CLE Series (June 30, 2022)
- ["Federal Equal Employment Opportunity Law,"](#) Co-Author, Arizona Attorney Magazine (January 2022)
- "Arizona Round Up," Co-Presenter, 2021 Employment Law Tool Kit Two-Part Webinar Series: Session 2: More Issues for All Employers and State-Specific Updates (November 18, 2021)
- "COVID-19 Vaccines in the Workplace," Co-Presenter, 2021 Employment Law Tool Kit Two-Part Webinar Series: Session 2: More Issues for All Employers and State-Specific Updates (November 18, 2021)
- "Mistakes to Avoid in Employee Handbooks," Co-Presenter, State Bar of Arizona Webinar (September 10, 2021)
- ["Be Sure to Pay Employees for Pre- and Post-Shift Time,"](#) Quoted, HR Magazine (August 4, 2021)
- ["Federal Contractor Minimum Wage Increase,"](#) Co-Author, Snell & Wilmer Labor and Employment Law Blog (August 13, 2021)
- ["The New Reality: The Remote Workplace Is Here—Maybe Permanently!"](#) Co-Author, Snell & Wilmer Legal Alert (March 12, 2021)
- ["Federal Equal Employment Opportunity Law – Recent Developments,"](#) Co-Author, Snell & Wilmer Labor and Employment Law Blog (January 5, 2021)
- ["Recent Developments in Federal Equal Employment Opportunity Law,"](#) Co-Author, Arizona Attorney Magazine (January 2021)
- "The COVID-19 Vaccine: An Employment Law Guide," Presenter, Client-Hosed Webinar (December 2020)
- ["Recent Developments in Federal Equal Employment Opportunity Law,"](#) Co-Author, Arizona Attorney Magazine (January 2021)
- ["Can Companies Use the Outside Sales Exemption During a Pandemic?"](#) Co-Author, Snell & Wilmer Legal Alert (December 10, 2020)
- ["Show Them the Money: Colorado's New Equal Pay Law,"](#) Co-Author, Snell & Wilmer Legal Alert (December 7, 2020)
- "Managing Employees in a Pandemic," Co-Presenter, 2020 Employment Law Tool Kit Three-Part Webinar Series: Session 1: Issues for All Employers (October 20, 2020)
- ["DOL Updates Its Coronavirus Paid Leave Regulations,"](#) Co-Author, Snell & Wilmer Legal Alert (September 18, 2020)
- ["Court Rules That DOL Exceeds Authority in Its Coronavirus Paid Leave Regulations,"](#) Co-Author, Snell & Wilmer Legal Alert (August 7, 2020)
- ["COVID-19: Employment Squalls Likely to Hit Employers,"](#) Co-Author, Snell & Wilmer Legal Alert (July 14, 2020)
- ["Modernizing the FLSA: DOL Gives the 7\(i\) Exemption a Makeover,"](#) Co-Author, Snell & Wilmer Legal Alert (June 17, 2020)

- ["Updated EEOC Guidance for Employers Permits Testing for COVID-19,"](#) Co-Author, Snell & Wilmer Legal Alert (April 30, 2020)
- ["The DOL Updates Its Model Notice of Employee Rights Under the Families First Coronavirus Response Act,"](#) Co-Author, Snell & Wilmer Legal Alert (March 27, 2020)
- ["Practical Guidance for Employers Grappling with the Coronavirus Threat,"](#) Co-Author, Snell & Wilmer Legal Alert (March 2, 2020)
- ["New Year, New Restrictions on Non-Compete Agreements,"](#) Co-Author, Snell & Wilmer Legal Alert (January 15, 2020)
- ["U.S. Department of Labor Issues New Rule Clarifying Exclusions from Overtime Calculation,"](#) Co-Author, Snell & Wilmer Legal Alert (December 13, 2019)
- [The Phoenix CFO Leadership Council's Law School for the CFO Program,](#) Speaker, Phoenix, AZ (October 17, 2019)
- ["U.S. Department of Labor Issues Final Salary Threshold Rule, Effective January 1, 2020,"](#) Co-Author, Snell & Wilmer Legal Alert (September 24, 2019)
- ["Proposed Federal Overtime Rule Doesn't Include Automatic Adjustments,"](#) Quoted, HR Magazine (March 11, 2019)
- ["Employers Can't Ignore State Overtime Exemption Rules,"](#) Quoted, HR Magazine (March 7, 2019)
- ["Will a New Federal Overtime Rule Have Multiple Salary Thresholds?"](#) Quoted, HR Magazine (February 25, 2019)
- ["States Push Back on Local Paid-Sick-Leave Laws,"](#) Quoted, HR Magazine (October 25, 2018)
- "Understanding, Recognizing and Preventing Bullying in the Workplace," Co-Presenter, PIHRA Gateway Cities, Cerritos, CA
- "BYOD," Presenter, HHRA, Phoenix, AZ
- "Medical Marijuana," Presenter, Lovitt & Touche' seminar, Tempe, AZ
- "Employer Mistakes, Avoiding Employee Lawsuits" (Mgmt. Training), Presenter, Phoenix, AZ
- "Wage & Hour Master Class," Presenter, BLR, La Jolla, CA
- "BYOD and Privacy," Presenter, S&W Directors, Phoenix, AZ
- "Best Employer Practices," Presenter, HCS Cares, Scottsdale, AZ
- "Leadership Training," Presenter, Scottsdale, AZ
- "Employment Agreements," Presenter, Phoenix, AZ
- "Hot Topics in Employment Law & BYOD," Presenter, Phoenix, AZ
- "Best Employer Policies in a BYOD World," Presenter, Phoenix, AZ
- "The Nuts & Bolts of an Internal Investigation," Presenter, Phoenix, AZ
- "Understanding Employment Law Issues Applicable to Social Media in Your Workplace," Presenter, EO, Scottsdale, AZ
- "FLSA: What Every Employer Needs to Know," Presenter, Tempe, AZ
- "Bring Your Own Device to Work (A Recent Nightmare-Inducing Trend)," Presenter, Arizona Builders' Alliance
- "California & Federal Wage & Hour Master Class," Presenter, Business & Legal Resources
- "Recognizing & Preventing Discrimination, Harassment and Retaliation," Presenter, Phoenix, Arizona

- "Phoenix Now Prohibits Employers from Discriminating on the Basis of Sexual Orientation, Gender Identity or Expression, and Disability," Co-Author, Snell & Wilmer Legal Alert
- "Understanding Employment Law Issues Applicable to Social Media in Your Workplace," Presenter, Arizona Chapter of Association of Corporate Counsel, Phoenix, Arizona
- "Medical Marijuana – What's an Employer to Do?," Presenter, Phoenix, Arizona
- "Legal Concerns re Social Networking," Presenter, Hospitality Financial & Technology Professionals, Phoenix, Arizona
- "Are Your Employees All 'Atwitter'? Understanding Employment Law Issues Applicable to Social Media in Your Workplace," Co-Author, Focus, ACC America
- "Legal Concerns re Social Networking," Presenter, Arizona State Bar, E-Commerce Section, Phoenix, Arizona
- "Employer Safeguards for Social Networking," Presenter, The Associated General Contractors of America ("AGC") Annual HR Professionals Conference, Scottsdale, Arizona
- "MySpace, YourSpace, WorkPlace: The Rise of Social Media and Its Impact on the Workplace," Presenter, Maricopa County Bar Association, Paralegal Division, Phoenix, Arizona
- "Social Media in the Workplace: Legal Pitfalls," Presenter, Human Capital Strategies, Tempe, Arizona
- "Are Your Employees 'Atwitter'? Understanding Employment Law Issues Applicable to Social Media in Your Workplace," Presenter, Entrepreneurs Organization, Platinum Forum, Scottsdale, Arizona
- "Employment Best Practices," Co-Presenter, Financial Executives International ("FEI"), Arizona Chapter
- "The Fair Labor Standards Act – What Every Employer Needs to Know," Presenter, Entrepreneurs Organization, Scottsdale, Arizona
- "Top Employer Mistakes," Presenter, Hospitality Human Resource Association
- "Failing to Prepare, You are Preparing to Fail," Snell & Wilmer
- "Ethical Challenges: Balancing Business, Your Role, and the Law," Presenter, Maricopa County Bar Association-Paralegal Division
- "Changes in Labor & Employment Law," Presenter, Arizona Employers' Council
- "Employment Law Ethical Challenges for In-House Counsel," Presenter, Association of Corporate Counsel Ethics Series
- "Change Management Presentation," Keynote Speaker, McDonald's Corporation
- "Motivation and Management Training," Keynote Speaker, Federal Express Corporate Seminar

## Professional Recognition & Awards

- The Best Lawyers in America®, Employment Law - Management (2016-2023)
- Ranking Arizona: The Best of Arizona Attorneys, Labor & Employment Law (2010-2011)
- Arizona's Top Lawyers, AzBusiness Magazine (2008-2010)

## Previous Professional Experience

- Luce, Forward, Hamilton & Scripps, Litigation Special Counsel (2002-2004), Associate (1990-1993)
- SWTV Production Services, Inc., Vice President and General Counsel (1996-2002)
- Cohen and Cotton, P.C., Litigation Associate (1993-1996)

- Western International University, Instructor (Leadership; Organizational Behavior, Corporate Ethics; Labor Relations; Human Resources Management; Business Law)

## **Bar Admissions**

- Arizona
- California
- Nevada

## **Court Admissions**

- Supreme Court of Arizona
- Supreme Court of California
- Supreme Court of Nevada
- United States Court of Appeals, Ninth Circuit
- United States Supreme Court